

Assembly Bill No. 2173

CHAPTER 502

An act to add Section 23593 to the Vehicle Code, relating to vehicles.

[Approved by Governor September 14, 2004. Filed
with Secretary of State September 14, 2004.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2173, Parra. Driving-under-the-influence: statement.

Under existing law, it is unlawful for a person who is under the influence of an alcoholic beverage or drug, or under the combined influence of an alcoholic beverage and drug, who has 0.08% or more, by weight, of alcohol in his or her blood, or who is addicted to the use of a drug, to drive a vehicle (DUI). Existing law imposes various sanctions on persons convicted of a DUI offense.

This bill would require a court to provide a person convicted of a reckless driving offense, as specified, or a DUI offense with a specified advisory statement. The bill would allow the advisory statement to be included in a plea form, if used, or would allow the fact that the advice was given to be specified on the record. This bill would require the court to include on the abstract of the conviction or violation submitted to the Department of Motor Vehicles that the person has been so advised.

The people of the State of California do enact as follows:

SECTION 1. Section 23593 is added to the Vehicle Code, to read:

23593. (a) The court shall advise a person convicted of a violation of Section 23103, as specified in Section 23103.5, or a violation of Section 23152 or 23153, as follows:

“You are hereby advised that being under the influence of alcohol or drugs, or both, impairs your ability to safely operate a motor vehicle. Therefore, it is extremely dangerous to human life to drive while under the influence of alcohol or drugs, or both. If you continue to drive while under the influence of alcohol or drugs, or both, and, as a result of that driving, someone is killed, you can be charged with murder.”

(b) The advisory statement may be included in a plea form, if used, or the fact that the advice was given may be specified on the record.

(c) The court shall include on the abstract of the conviction or violation submitted to the department under Section 1803 or 1816, the fact that the person has been advised as required under subdivision (a).

